

**Washington Headquarters Services
Personnel and Security Directorate
Equal Employment Opportunity Programs Division**



On May 15, 2002, the 107th Congress enacted Public Law 107-174, Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002, or the No FEAR Act, which went into effect on October 1, 2003.

The No FEAR Act was enacted with the intent to hold Federal agencies more accountable for violations of antidiscrimination and whistleblower protection laws. It also required Agencies to post quarterly statistical data related to Federal equal employment opportunity complaints filed with such agency.

The EEO Programs Division (EEOPD) provides fair and impartial processes to help manage and facilitate the resolution of civilian and military discrimination complaints within OSD, Joint Staff, and other WHS-serviced activities. The EEOPD is also responsible for annual reporting of complaint activity to the Equal Employment Opportunity Commission. As such, the EEOPD is responsible for posting the data requirements specified in Title III of the No FEAR Act. Such data only pertains to EEO complaints filed by civilian employees.

Should you have any questions regarding the information contained in this website, please contact the EEO Programs Division by phone at (703) 588-0451.

This web page was updated on February 20, 2004.

Overview of Number of Complaints Filed

"COMPLAINTS FILED" CATEGORY	FISCAL YEAR					
	Q1 2004	2003	2002	2001	2000	1999
Pending at the Beginning of the Fiscal Year*	47	48	33	34	28	44
Filed during the Fiscal Year*	7	23	27	17	15	11
Individuals Who Filed 2 or More Complaints during the Fiscal Year	0	0	1	0	0	1
Pending, at any time, during the Fiscal Year	54	71	60	51	43	55

* Also denotes number of individuals filing complaints during specified time frame (including class agents)

Number of Complaints and Average Days in Various Steps of the Complaint Process

PENDING PHASE OF EEO PROCESS	FISCAL YEAR											
	Q1 2004		2003		2002		2001		2000		1999	
	#	Ave. Days	#	Ave. Days	#	Ave. Days	#	Ave. Days	#	Ave. Days	#	Ave. Days
Investigation	0	0	6	194	19	266	14	349	8	585	9	531
EEOC Hearing	0	0	22	658	8	580	5	785	4	1035	8	1135
Final Agency Action	5	187	8	229	10	410	7	1134	9	1235	3	967
<i>No Hearing Requested</i>	3	201	4	382	*	*	*	*	*	*	*	*
<i>Hearing Requested</i>	2	166	4	77	*	*	*	*	*	*	*	*

*Data not available at this time

INVESTIGATIONS	Q1 2004	2003	2002	2001	2000	1999
Number of complaints not investigated within the time required by 29 CFR § 1614.106(e)(2)	0	20	7	8	8	8

Number of Complaints Filed by Basis per Fiscal Year

BASIS	FISCAL YEAR					
	Q1 2004	2003	2002	2001	2000	1999
Race and Color						
<i>Am. Indian/Alaskan Native</i>	0	0	0	1	0	0
<i>Am. Asian/Pacific Islander</i>	0	2	1	0	0	1
<i>African Am./Black</i>	3	12	10	6	7	4
<i>Caucasian/White</i>	0	1	0	2	2	1
Color*	1	2	2	6	5	2
Religion	0	0	2	2	0	2
Reprisal	1	9	14	8	2	3
Sex						
<i>Male</i>	0	1	2	0	0	0
<i>Female</i>	0	8	5	7	3	1
National Origin						
<i>Hispanic</i>	0	0	1	2	0	0
<i>Other</i>	0	3	3	1	0	1
Equal Pay Act						
<i>Male</i>	0	0	0	0	0	0
<i>Female</i>	0	0	0	0	0	0
Age	0	7	4	6	2	1
Disability						
<i>Mental</i>	0	0	0	1	1	2
<i>Physical</i>	0	4	3	7	3	1
TOTAL	5	49	47	49	25	19

*Prior to FY02, Race and Color were combined as as one basis category by the EEOC. Color was officially established as a separate basis in FY02. For the purposes of this report, all complaints filed with Color as a basis was separated for all Fiscal Years in reporting period.

Number of Complaints Filed by Issue per Fiscal Year

ISSUE	FISCAL YEAR					
	Q1 2004	2003	2002	2001	2000	1999
Appointment Hire	0	0	0	0	1	0
Assignment of Duties	0	3	11	2	0	1
Awards	0	1	2	0	0	0
Conversion to Full Time	0	0	0	0	0	0
Disciplinary Action						
<i>Demotion</i>	0	0	1	0	1	0
<i>Reprimand</i>	0	2	1	4	1	0
<i>Suspension</i>	0	2	3	2	0	1
<i>Removal</i>	0	1	0	0	0	0
Duty Hours	1	0	0	0	0	0
Evaluation/Appraisal	2	4	4	4	2	4
Examination/Test	0	0	0	0	0	0
Harassment						
<i>Non-Sexual</i>	2	7	5	2	0	2
<i>Sexual</i>	0	1	2	1	1	0
Medical Examination	1	0	0	0	0	0
Pay Including Overtime	1	0	2	1	0	0
Promotion/Non-Selection	1	2	9	7	5	2
Reassignment						
<i>Denied</i>	0	0	0	0	1	0
<i>Directed</i>	0	2	6	1	1	0
Reasonable Accommodation	0	2	4	2	1	1
Reinstatement	0	0	0	0	0	0
Retirement	0	0	0	2	1	0
Termination	0	0	0	1	0	0
Terms/Conditions of Empl.	0	0	0	0	0	0
Time and Attendance	1	2	2	0	1	1
Training	0	1	3	0	0	0
Other	2	7	8	3	1	3
TOTAL	11	37	63	32	17	15

Summary of Closures by Fiscal Year

TYPES OF CLOSURES	NUMBER AND PERCENT OF CLOSURES BY FISCAL YEAR											
	Q1 2004		2003		2002		2001		2000		1999	
	#	%	#	%	#	%	#	%	#	%	#	%
1. FAD without an AJ Decision	3	100%	12	100%	8	100%	8	100%	3	100%	9	100%
A. Finding Discrimination	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
B. Finding No Discrimination	3	100%	7	58%	6	75%	5	63%	2	67%	4	44%
C. Dismissal of Complaints	0	0%	5	42%	2	25%	3	38%	1	33%	5	56%
2. FAD with an AJ Decision	0	0%	4	100%	1	100%	1	100%	2	100%	3	100%
A. AJ Decision Fully Implemented	0	0%	4	100%	1	100%	1	100%	2	100%	3	100%
(1) Finding Discrimination	0	0%	1	25%	0	0%	0	0%	0	0%	0	0%
(2) Finding No Discrimination	0	0%	3	75%	0	0%	1	100%	2	100%	3	100%
B. AJ Decision Not Fully Implemented	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
(1) Finding Discrimination	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
a. Agency appealed finding but not remedy	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
b. Agency appealed remedy but not finding	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
c. Agency appealed both finding and remedy	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
(2) Finding No Discrimination	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
C. Dismissal of Complaints	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%

Summary of Findings of Discrimination

FISCAL YEAR

FINAL AGENCY ACTIONS	Q1 2004	2003	2002	2001	2000	1999
Without a Hearing	0	0	0	0	0	0
With a Hearing	0	1*	0	0	0	0

*1 of 8 (12.5%) Final Agency Actions with a hearing in FY03

Breakdown of Findings by Basis

FISCAL YEAR

BASIS	Q1 2004		2003		2002		2001		2000		1999	
	#	%	#	%	#	%	#	%	#	%	#	%
Race and Color	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
<i>Am. Indian/Alaskan Native</i>	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
<i>Am. Asian/Pacific Islander</i>	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
<i>African Am./Black</i>	0	0%	1	100%	0	0%	0	0%	0	0%	0	0%
<i>Caucasian/White</i>	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Color*	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Religion	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Reprisal	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Sex	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
<i>Male</i>	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
<i>Female</i>	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
National Origin	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
<i>Hispanic</i>	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
<i>Other</i>	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Equal Pay Act	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
<i>Male</i>	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
<i>Female</i>	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Age	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Disability	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
<i>Mental</i>	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
<i>Physical</i>	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%

Breakdown of Findings by Issue

FISCAL YEAR

ISSUE	Q1 2004		2003		2002		2001		2000		1999	
	#	%	#	%	#	%	#	%	#	%	#	%
Appointment Hire	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Assignment of Duties	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Awards	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Conversion to Full Time	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Disciplinary Action	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
<i>Demotion</i>	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
<i>Reprimand</i>	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
<i>Suspension</i>	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
<i>Removal</i>	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Duty Hours	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Evaluation/Appraisal	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Examination/Test	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Harassment	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
<i>Non-Sexual</i>	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
<i>Sexual</i>	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Medical Examination	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Pay Including Overtime	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Promotion/Non-Selection	0	0%	1	100%	0	0%	0	0%	0	0%	0	0%
Reassignment	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
<i>Denied</i>	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
<i>Directed</i>	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Reasonable Accommodation	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Reinstatement	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Retirement	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%

Termination	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Terms/Conditions of Empl.	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Time and Attendance	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Training	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Other	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%